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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,369	06/13/2001	Duncan Burns	324-010340-US(PAR)	4964
2512	7590	03/11/2004	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			LI, SHI K	
			ART UNIT	PAPER NUMBER
			2633	

DATE MAILED: 03/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,369

Applicant(s)

BURNS ET AL.

Examiner

Shi K. Li

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2001 and 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 19 recites the limitation "the battery" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5, 7-10, 12, 14-15, 17 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Snyder et al. (U.S. Patent 6,501,581 B1).

Regarding claims 1, 5 and 10, Snyder et al. discloses in FIG. 2 and FIG. 3 an adaptor for a cellular phone (mobile station). The cellular phone has an optical port 36 for transmitting and receiving light signals via a data transmission element 96.

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Regarding claims 2-4, Snyder et al. teaches to use infrared light as well as light signals of other wavelengths capable of transmitting data (for example, see col. 6, lines 1-11).

Regarding claims 7, 12, Snyder et al. teaches in col. 7, lines 36-39 reflective surfaces.

Regarding claims 9 and 14, Snyder et al. teaches in FIG. 8 and col. 8, lines 42-43 another embodiment using optical fiber.

Regarding claim 15, Snyder et al. teaches in col. 6, line 21 a housing for supporting the adaptor on countertop or desk.

Regarding claim 17, Snyder et al. teaches in FIG. 8 an alternative adaptor for installation on a wall.

Regarding claim 19, Snyder et al. teaches in col. 10, lines 48-49 to use the adaptor for recharging a battery of the cellular phone.

6. Claims 1-2, 6-8, 10-13, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Muramatsu et al. (U.S. Patent 6,477,391 B1).

Regarding claim 1, 5 and 10, Muramatsu et al. discloses in FIG. 11 a mobile telephone holder with IrDA communication interface between the telephone and the holder.

Regarding claim 2, Muramatsu et al. uses infrared light for communication.

Regarding claims 6 and 11, Muramatsu et al. teaches in FIG. 13A lightguide 103 and in FIG. 14C refraction of light.

Regarding claims 7-8 and 12-13, Muramatsu et al. includes reflector 115.

Regarding claim 16, Muramatsu et al. teaches to use the mobile telephone holder in car (for example, see col. 4, line 9).

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Regarding claim 18, Muramatsu et al. teaches in FIG. 10 an alternative arrangement where the mobile phone are secured and protected.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder et al.

(U.S. Patent 6,501,581 B1) in view of Panton (U.S. Patent 5,519,527).

Snyder et al. has been discussed above in regard to claims 1-5, 7-10, 12-15, 17 and 19.

The difference between Snyder et al. and the claimed invention is that Snyder et al. uses one transmission element while the claimed invention uses two transmission elements. Panton teaches in FIG. 5 an infrared communication arrangement where an electronic equipment 4 and an interface unit communicate over two transmission elements between devices 10 and 30 and between devices 14 and 34. One of ordinary skill in the art would have been motivated to combine the teaching of Panton with the cellular phone adaptor of Snyder et al. because separating the transmission paths of the signals to and from the cellular phone avoids interference between the light signals. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to have two transmission elements, as taught by Panton, in the cellular phone adaptor of Snyder et al. because separating the transmission paths of the signals to and from the cellular phone avoids interference between the light signals.

Conclusion

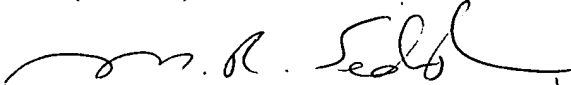
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shi K. Li whose telephone number is 703 305-4341. The examiner can normally be reached on Monday-Friday (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 703 305-4729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

skl


M.R. SEDIGHIAN
Patent Examiner
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